

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

## **NOTICE OF MOTION AND NOTICE OF HEARING**

PLEASE TAKE NOTICE that Port Arthur Holdings, III, LTD (the “Landlord”), by and through counsel, has filed with the Court a Joinder to Landlords’ Motion for Rehearing and/or Reconsideration and/or to Alter or Amend the Judgment Regarding Payment of November Rent, and Memorandum in Support Thereof (the “Motion”). A copy of the Motion is available from the undersigned. .

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then on or before **January 14, 2009**, you or your attorney must:**

1. File with the Court, at the address shown below, a written response pursuant to *Local Bankruptcy Rule 9013-1(H)(3)(C)*. If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

William C. Redden, Clerk of Court  
United States Bankruptcy Court  
Eastern District of Virginia, Richmond Division  
701 E. Broad Street, Suite 4000 Richmond, VA 23219

David H. Cox (VSB # 19613)  
dcox@jackscamp.com  
John Matteo (VSB # 35054)  
jmatteo@jackscamp.com  
1120 Twentieth Street, N.W.  
South Tower  
Washington, D.C. 20036-3437  
(202) 457-1600 – telephone  
*Counsel for Port Arthur Holdings, III, LTD*

You must also mail a copy to :

David H. Cox, Esquire  
John Matteo, Esquire  
1120 Twentieth Street, N.W.  
South Tower  
Washington, D.C. 20036-3437  
(202) 457-1600 – telephone  
*Counsel for Port Arthur Holdings, III, LTD*

2. If you object to or oppose the Motion, you must file your objection or response timely with the Court and attend a hearing scheduled for **January 16, 2009** at 10:00 a.m. at the United States Bankruptcy Court located at 701 East Broad Street, Suite 5000, Richmond, Virginia, in Judge Huennekens' Courtroom, in addition to filing a written objection or response to the Motion. If you fail to timely file a written response and to attend the hearing, the Court may consider any objection you have waived, and enter an order granting the relief requested in the Motion without holding a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the *Motion* and may enter an Order granting that relief.

**NOTICE**

Under *Local Bankruptcy Rule 9013-1*, unless a written response to the *Motion* is filed with the Clerk of Court and served on the moving party within two (2) business days prior to the **January 16, 2009** hearing date, or on or before **January 14, 2009**, objecting to the relief requested, the Court may deem any opposition waived, treat the *Motion* as conceded, and issue an Order granting the requested relief without further notice or hearing.

**Dated: January 6, 2009**

Respectfully submitted,

JACKSON & CAMPBELL, P.C.

By: /s/ David H. Cox

David H. Cox, Esquire (VSB # 19613)

dcox@jackscamp.com

John Matteo, Esquire (VSB # 35054)

jmatteo@jackscamp.com

1120 Twentieth Street, N.W.

South Tower

Washington, D.C. 20036-3437

(202) 457-1600 – telephone

(202) 457-1678 – facsimile

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice has been served on the parties receiving electronic notice via the Court's CM/ECF system, as appropriate, by electronic means and by First Class Mail (postage prepaid) on the following attached Service List and on the following parties via US regular mail, on this the 6th day of January, 2009.

Circuit City Stores, Inc.  
Attn: Reginald D. Hedgebeth  
Attn: Daniel W. Ramsey  
9950 Maryland Drive  
Richmond, Virginia 23233

*Debtors*

Daniel F. Blanks, Esquire  
Douglas M. Foley, Esquire  
McGuire Woods LLP  
9000 World Trade Center  
101 West Main Street  
Norfolk, Virginia 23510

*Counsel for the Debtors*

Dion W. Hayes, Esquire  
James S. Sheerin, Esquire  
Sarah Beckett Boehm, Esquire  
McGuire Woods LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219

*Counsel for the Debtors*

Gregg Galardi, Esquire  
Ian S. Fredericks, Esquire  
Skadden Arps, Slate Meagher & Flom, LLP  
One Rodney Square  
Box 636  
Wilmington, Delaware 19899

*Counsel for the Debtors*

Chris L. Dickerson, Esquire  
Skadden Arps, Slate Meagher & Flom, LLP  
333 West Wacker Drive  
Chicago, Illinois 60606

*Counsel for the Debtors*

Robert B. Van Arsdale, Esquire  
Office of the U. S. Trustee  
701 East Broad Street  
Suite 4304  
Richmond, Virginia 23219

*Office of the United States Trustee for  
the Eastern District of Virginia, Richmond Division*

Linda K. Myers, Esquire  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, Illinois 60601

*Special Counsel for Debtors*

David S. Berman, Esquire  
Riemer & Braunstein LLP  
Three Center Plaza  
Sixth Floor  
Boston, Massachusetts 02108

*Counsel for Bank of America, N.A.*

Bruce Matson, Esquire  
LeClair Ryan  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Eighth Floor  
Richmond, Virginia 23219

*Counsel for Bank of America, N.A.*

Lynn L. Tavenner, Esquire  
Tavenner & Beran, PLC  
20 North Eighth Street  
Second Floor  
Richmond, Virginia 23219

*Counsel for the Official Committee of  
Unsecured Creditors*

Robert J. Feinstein, Esquire  
Jeffrey N. Pomerantz, Esquire  
Pachulski Stang Ziehl & Jones LLP  
780 Third Avenue  
Twenty-Sixth Floor  
New York, New York 10017

*Counsel for the Creditors Committee*

By: /s/ David H. Cox